

MANSFIELD TOWNSHIP COMMITTEE MEETING

April 13, 2022

This is a regular meeting of the Mansfield Township Committee. The notice requirements of the law have been satisfied for this meeting by notice to the Express Times NJ Zone of the time, date and location thereof. Notice was also posted on the announcement board located in the Municipal Building.

Roll Call: Mr. Farino, Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Salute to the flag was done by all.

PROCLAMATIONS

Earth Day – Mrs. Orlando read aloud a proclamation to declare Earth Day on April 22, 2022.

Volunteer Day – Mrs. Orlando read aloud a proclamation to honor our township volunteers.

POLICE CHIEF

Mrs. Orlando conducted the Swearing-In Ceremony of Police Chief James Michael MacDonough.

PUBLIC PORTION – CONSENT AGENDA ITEMS

Mayor Watters opened the Public Portion of the meeting for comments on the Consent Agenda Items.

Seeing none, the Public Portion for Consent Agenda Items was closed.

CLERK'S REPORT

Mrs. Orlando reported:

Zoning Officer – Met with the Washington Township construction office and our fire official where they discussed the more concerning town zoning issues. He will be at the next Committee Meeting.

Comcast – Emergency wiring is complete. Cable is run into the building. End of this month beginning of May for the internal wiring to switch to fiber optics for the security upgrade.

Raffles – Received two applications – one from St. Theodore Church, the other from Tri-County Ladies' Auxiliary. All paperwork is in order.

Broad Band Availability – An email was received from the County that the State is remapping for more broad band availability. We need to let them know where we have no internet. Mrs. Orlando will post on our website and social media for residents to let her know if they have no broad band, and she will forward that information to the County.

CFO REPORT

Mrs. Mollineaux reported:

Emergency Temporary Budget – Resolution is on tonight’s agenda to operate to the end of March until the budget is enclosed.

Cleaning Company – The company we hired decided not to come back. We contacted the second quote, but the company wasn’t interested. We will go with the third company after their fingerprints are received.

Introduction to 2022 Budget – Will be introduced tonight without discussion.

EMPLOYEES’ REPORTS

Mrs. Fascenelli reported:

SWAC Meeting – Commissioner received Mr. Lavery’s letter regarding the food processing facility and the SWAC and Dave Dech. Their attorney said we are incorrect in what we are saying. As of April 7th, there is no application to SWAC. They will take our letter into consideration if the application comes in.

Single-Use Bags – Mrs. Fascenelli gave a presentation to our Seniors about single-use plastic bags. She handed out Mansfield re-usable bags. As of May 4th, no plastic will be given out from businesses with over 2,500 sq ft. There will be paper bags in smaller stores. We have free-re-usable bags here for residents to pick up.

Flea Market Help – The kids from St. Theodore are unable to help due to Communion on Saturday and Confirmation on Sunday. They offered to help with other future events. The Girl Scouts will help for service hours for their Silver Award.

ORDINANCES

First Reading

Mrs. Mora Dillon made a motion to approve the first reading of Ordinance to Exceed Municipal Budget Appropriations, which was seconded by Mr. Hayes.

Ayes: Mr. Farino, Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: None

**TOWNSHIP OF MANSFIELD
CALENDAR YEAR 2022
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by

ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Mansfield, in the County of Warren, finds it advisable and necessary to increase its CY 2022 Budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determine that a 3.5% increase in the budget for said year, amounting to \$51,814.61 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Township Committee hereby determine that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Mansfield, in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2022 budget year, the final appropriations of the Township of Mansfield shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$181,350.69, and that the CY 2022 municipal budget for the Township of Mansfield be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

CONSENT AGENDA

Each of the following resolutions were presented before the Township Committee at the April 13, 2022, meeting and have the unanimous approval of all the members of the Township Committee, with the same legal effect as though each was read in its entirety at the April 13, 2022, meeting and adopted by separate vote.

Motion by Mrs. Mora Dillon, second by Mr. Hayes.

Resolutions A - N

Ayes: Mr. Farino, Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters
Nays: None
Absent: None
Abstain: None

Emergency Resolution
NJSA 40A:4-20 (Temporary Appropriations)

WHEREAS, pursuant to N.J.S.A. 40a:4-19 the Township Committee of the Township of Mansfield adopted a Resolution to provide temporary funds for the period from January 1, 2022 until the adoption of the Operating Budget for the Township of Mansfield, New Jersey; and

WHEREAS, additional appropriations will be required from April 13, 2022 until the adoption of the budget; and

WHEREAS, N.J.S.A. 40A:4-20 provides that the governing body by two-thirds vote may make temporary emergency appropriations for any purpose for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, Warren County, New Jersey, that:

1. The Township Committee by a two-thirds vote of its full membership hereby amends its temporary budget by making the following emergency temporary appropriations:

CURRENT FUND	\$1,500,000.00
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2. This action shall take effect April 13, 2022.

3. A copy of this resolution shall be immediately filed with the Director of Local Government Services by the Township Clerk of the Township of Mansfield.

Authorizing and Appointing Assistant Department of Public Works Supervisor

WHEREAS, the Township of Mansfield has determined there is a need for an Assistant DPW Supervisor; and

WHEREAS, the Township Committee has determined that Travis Branche is capable and qualified to serve in the position; and

WHEREAS, Ordinance Number 2020-14 established the salaries and wages for the employees of

the Township of Mansfield, County of Warren, State of New Jersey

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey that Travis Branche shall be appointed Assistant DPW Supervisor with the Memorandum of Understanding in place as agreed to by both parties.

Endorsement of Redeemed Municipal Tax Sale Certificate

BE IT RESOLVED, by the Township Committee of the Township of Mansfield that the following Tax Sale Certificate, held by the Township, having been paid and satisfied in full pursuant to N.J.S.A. 54:5-59; the Mayor and Township Clerk are hereby authorized and directed to endorse same for cancellation, affix the Township Seal, and return same to the Tax Collector for delivery to the property owner or legal representative pursuant to N.J.S.A. 54:5-55.

Tax Sale Certificate Number	Block / Lot	Original Certificate Amount
18-00101	2705 / 22	\$ 209.06

Authorizing Refund of Tax Overpayment and Tax Cancellation Total Disabled Veteran

WHEREAS, Benjamin McHugh is the owner of real property located at 265 Mount Bethel Road, known as Block 2901 Lot 1.05, within the Township of Mansfield, County of Warren, State of New Jersey; and

WHEREAS, the owner of the aforementioned property is qualified as a totally disabled veteran as of February 23, 2022 and is therefore tax exempt the need exists to refund overpaid taxes as well as adjust future tax bills; and

WHEREAS, the owner of said property, Benjamin McHugh has paid taxes through and including the 1st Quarter of 2022; and

WHEREAS, NJSA 54:4-3.32 authorizes the refund of taxes paid from the qualifying date of the exemption, February 23, 2022;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey, that the Tax Collector be authorized to adjust tax records as necessary to reflect this exemption as well as authorizing the tax overpayment in the amount of **\$1,583.23** to be refunded and shall be made payable to:

Benjamin McHugh
265 Mount Bethel Road
Port Murray, NJ 07865

Authorizing Refund of Tax Overpayment and Tax Cancellation Total Disabled Veteran

WHEREAS, Arnold Solomon is the owner of real property located at 9 Elmwood Drive, known as Block 1906 Lot 12, within the Township of Mansfield, County of Warren, State of New Jersey; and

WHEREAS, the owner of said property, Arnold Solomon has received a Homestead Benefit in the 2nd quarter, 2022; and

WHEREAS, the owner of the aforementioned property is qualified as a totally disabled veteran and is therefore tax exempt creating an overpayment as set forth above; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey, that the tax overpayment due to the Homestead Rebate in the amount of **\$752.65** shall be refunded and shall be made payable to:

Arnold Solomon
9 Elmwood Drive
Hackettstown, NJ 07840

Authorizing the Auction of Certain Surplus Property

WHEREAS, the Township of Mansfield is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Township Committee would like to sell the surplus property in an “as is” condition without express or implied warranties; and

WHEREAS, the sales are being conducted pursuant to N.J.S.A. 40A:11-36 and the guidance set forth in the Division of Local Government Services’ Local Finance Notice 2019-15,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield in the County of Warren, State of New Jersey, that the Township is hereby authorized to sell the surplus personal property listed below on an online auction website entitled www.govdeals.com.

Surplus Property to be sold

2013 Dodge Charger VIN# 2C3CDXAG0DH610895

Authorizing the Grant Application
Highway Traffic Safety Federal Safety Grant 2023

WHEREAS, the Mansfield Police Department wishes to apply for grant funding not to exceed \$24,220.00 to provide additional manpower hours for seatbelt enforcement, to combat distracted driving, to decrease drivers driving while intoxicated, and to increase driver education to save lives; and

WHEREAS, an enforcement crackdown is planned to reduce violations related to seatbelt usage, distracted drivers, and driving while intoxicated to reduce the number of crashes and potential fatalities related to these offenses; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the State to participate in the grant; and

WHEREAS, the project will involve increased enforcement and education from October 2, 2022 through September 24, 2023; and

WHEREAS; an increase in enforcement and education will reduce accidents and save lives on our roadways;

THEREFORE, be it resolved that the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey declares support for the grant application and participation in the Federal Highway Safety Fund Grant Program 2023.

Authorizing the Grant Application
Highway Traffic Safety Click It or Ticket 2022 Seat Belt Mobilization

WHEREAS, the most effective device for preventing deaths and injuries in motor vehicle crashes remains the seat belt; and

WHEREAS, in 2019, New Jersey experienced nearly 4,000 crashes where an occupant was not wearing his or her seat belt, resulting in 108 fatalities.

WHEREAS, the most recent statewide survey, undertaken in June 2021, determined the seat belt usage rate in New Jersey to be 93.92%.

WHEREAS, Mansfield Township Police Department would like to participate in the 2022 Click It or Ticket Seat Belt Mobilization from May 23 – June 5, 2022 to reduce the number of unrestrained motor vehicle fatalities in the state and to increase the statewide seat belt observational rate (as detailed in the FY2022 New Jersey Highway Safety Plan) through targeted seat belt enforcement;

NOW THEREFORE IT BE RESOLVED that the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey authorizes applying for the Highway Traffic Safety Click It or Ticket 2022 Seat Belt Mobilization grant funding.

Authorizing Raffle License for St. Theodore RC Church

WHEREAS, St. Theodore Roman Catholic Church has submitted a Raffle License Application for a drawing to be held on July 10, 2022; and

WHEREAS, all paperwork and payment are in order, and the identification number from the Legalized Games of Chance Control Commission is currently valid, and will be valid at the date and time of the raffle;

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey, that Raffle License RA2022-01, and Acting Township Clerk is authorized to sign off on the license and submit copies to the appropriate authorities.

Authorizing Raffle License for Tri County Volunteer Fire Company Auxiliary

WHEREAS, Tri County Volunteer Fire Company Auxiliary has submitted a Raffle License Application for a drawing to be held on May 7, 2022; and

WHEREAS, all paperwork and payment are in order, and the identification number from the Legalized Games of Chance Control Commission is currently valid, and will be valid at the date and time of the raffle;

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey, that Raffle License RA2022-02, and Acting Township Clerk is authorized to sign off on the license and submit copies to the appropriate authorities.

Authorizing Unpaid Sick Leave to Department of Public Works Employee

WHEREAS, the Township Committee (“Committee”) of the Township of Mansfield (“Township”) finds and declares that John Tate, Jr. (“Employee”) is an employee of the Mansfield Township Department of Public Works; and

WHEREAS, the Committee further finds and declares that the Employee will be out of work on unpaid leave as of April 20, 2022; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Mansfield does hereby grant unpaid leave to the Township Employee, John Tate, Jr., during the period of April 20, 2022 through May 11, 2022; and

BE IT FURTHER RESOLVED, that the Acting Township Clerk be and is hereby directed to formally notify the Public Employees’ Retirement System of said status and to cause the same to be included in the records maintained for said employee.

A RESOLUTION TO RESCIND RESOLUTION NO 2022-64

WHEREAS, the Township Committee of the Township of Mansfield previously authorized a contract for Janitorial Services at a cost not to exceed \$12,000.00 with KLK Cleaning per resolution 2022-64; and

WHEREAS, KLK Cleaning is unable to adhere to the contract as previously projected,

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey that Resolution 2022-64, authorizing a contract with KLK Cleaning for a total cost not to exceed \$12,000.00 is hereby rescinded.

BE IT FURTHER RESOLVED, that the Acting Township Clerk of the Township of Mansfield be authorized to notify KLK Cleaning of the Township's decision to rescind resolution # 2022-64.

Authorizing Award of Contract – Jan-Pro

WHEREAS, the Township of Mansfield received quotes for the Janitorial Services (the "Project"); and

WHEREAS, the first company, KLK Cleaning, was no longer able to honor the contract; and

WHEREAS; the Supervisor of the Department of Public works recommended Jan-Pro who is the next lowest qualifying bidder, in the amount not to exceed \$16,900, from January 1, 2022 through December 31, 2022;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, that the appropriate municipal officials be and are hereby authorized to award a contract for 2022 Janitorial Services to Jan-Pro, for a total cost not to exceed \$16,900.00, from January 1, 2022 through December 31, 2022, subject to all bid specifications and contract documents.

Mr. Farino withdrew from Resolution O.

Mr. Hayes made a motion to approve Resolution O, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: Mr. Farino

Authorizing Payment of Municipal Obligations

WHEREAS, the Township Committee of the Township of Mansfield, County of Warren, finds and declares that certain municipal obligations have come due and are now payable; and

WHEREAS, the Township Committee further finds and declares that said obligations have been itemized on the annexed schedules, which are hereby deemed part of this Resolution;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Mansfield

does hereby authorize payment of said municipal obligations, in accordance with the recommendations of the Chief Financial Officer and the Deputy Treasurer, from the following accounts and in the following amounts:

PREPAID LIST	
CURRENT	\$215,839.14
CAPITAL	
TRUST	\$
DOG	\$
RECREATION	
OPEN SPACE	\$
DEV ESCROW	
UNEMPLOYMENT	\$173.46
TAX PREMIUM	
MANDATORY DEV	
OUTSIDE EMPLOY	
TOTAL	\$216,012.60

BILLS LIST	
CURRENT	\$789,624.34
CAPITAL	\$
TRUST	\$
DOG	\$33.00
RECREATION	\$
OPEN SPACE	\$
DEV ESCROW	\$405.00
UNEMPLOYMENT	\$
TAX PREMIUM	\$
MANDATORY DEV	\$
OUTSIDE EMPLOY	\$
FORF ASSETS	\$
TOTAL	\$790,062.34

BUDGET INTRODUCTION

Mrs. Orlando read aloud the Budget Introduction.

Mayor Watters asked about the average house increase which Mrs. Mollineaux stated will not increase. The increase will come from other entities.

Public Hearing will be Wednesday, May 25, 2022, at 7:30 pm.

Mr. Hayes made a motion to accept the Budget Introduction, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Farino, Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: None

COMMITTEE COMMENTS

Mr. Hayes and Mr. McGuinness will go to the fire houses to make sure they are up to date on their PEOSHA Requirements.

PUBLIC PORTION

Mayor Watters opened the Public Portion of the meeting for comments.

Carol Thompson, 510 Rt. 57, gave Mrs. Orlando a copy of the Land Use Board transcripts for the new zoning officer.

Mayor Watters asked for further comment from the public; seeing none, the public portion was closed.

EXECUTIVE SESSION

Mayor Watters announced moving into Executive Session at 7:53 pm

Mr. Hayes made a motion to go into Executive Session at 7:53pm, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Farino, Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: None

Mr. Lavery stated the Executive Session discussion will include:

- A personnel matter dealing with a Rice Notice
- Attorney/Client privilege matter dealing with zoning
- Two personnel issues
- Four real estate issues
- Four contractual issues
- One legal attorney/client privilege

RETURN FROM EXECUTIVE SESSION

Return from Executive Session at 9:25 pm.

Mr. Hayes made a motion to return to Regular Session, which was seconded by Mrs. Mora Dillon.

Roll Call: Mr. Farino, Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Mr. Lavery announced the return from Executive Session at 9:25 pm where they discussed:

- A personnel matter dealing with a Rice Notice
- Attorney/Client privilege matter dealing with zoning
- One personnel issue involving the DPW
- Four real estate issues
- Four contractual issues

- One legal attorney/client privilege

No official action was taken. Copies of these minutes will be available at such time the Committee determines there is no longer a harm to the public interest.

Mr. Hayes made a motion to adjourn, carried unanimously.

Respectfully submitted,
Illena Raffaele
Deputy Clerk/Registrar